Annual Report of the Director of Child and Family Services

Northwest Territories Health and Social Services

October 2002

A MESSAGE FROM THE DIRECTOR OF CHILD AND FAMILY SERVICES

As required by the *Child and Family Services Act*, I hereby submit the Annual Report of the Director of Child and Family Services for the periods of April 1, 1999 to March 31, 2000 and April 1, 2000 to March 31, 2001.

The two years covered by this report saw the ongoing *"putting into practice"* of the *Child and Family Services Act* of October 1998 and the *Adoption Act* of November 1998. To assist the workers and their supervisors, there was a continuation of the training of social workers and adoption workers. During this period of time a computerized Child and Family Services Information System was developed as a tool to assist social workers in the performance of their duties under the Act.

In the spirit of providing quality child welfare services, the Department contracted the Child Welfare League of Canada (CWLC) to conduct a proactive, system-wide review of child and family services in the NWT. The report entitled *"It Takes a Community"* contained 58 recommendations to improve the child welfare system in the NWT, and was tabled in the Legislative Assembly in June 2000.

The Department responded to the report by preparing a three-year Children's Services Action Plan. The key elements of this plan are human resource management, information and system management, training development and delivery, and program development and delivery. The implementation of year one of this plan will begin during fiscal year 2001/02.

There are many individuals and groups that are part of our system and are involved in the support of NWT children in care. Social workers, foster parents, extended family, a variety of community and regional agencies, support service providers, and many, many others have all played a part. I wish to take this opportunity to thank all of you for your hard work and dedication to this task. Together, over the past two years, we have strived to provide the best possible assistance and support to children and their families in a sensitive and caring manner.

Respectfully submitted,

Angus Mackay
Director, Child and Family Services
for 1999/2000 and 2000/2001

TABLE OF CONTENTS

Introduction 1

Number of Children in Canada and the NWT 1

The Child and Family Services Act 2

Review by the Child Welfare League of Canada 3

Child and Family Services Steering Committee 6

Community Child and Family Service Committees 6

Child and Family Services Information System 6

Statistics on Children Receiving Services Under the *Child and Family Services Act* 9

Adoptions 13

Search and Reunion of Adoptees and Birth Parents 17

Services for Children and Their Families 18

Definitions 21

LIST OF FIGURES

Figure 1 Percentage of Children 17 Years of Age and Under by Province and Territory 1

Figure 2 Estimated Percentage of NWT Population by Age Groups 2

Figure 3 Phases of the Project 7

Figure 4 Screening and Investigation Reports for Fiscal Years 1999/2000 and 2000/2001 9

Figure 5 Top Ten Primary Referals From Screening Reports .. 10

Figure 6 Three One-day Snapshots of Children by Receiving Services 11

Figure 7 Location of Children Receiving Services 13

Figure 8 Departmental and Private Adoption 15

Figure 9 Custom Adoptions by Fiscal Year 16

103-05744/

INTRODUCTION

The Report of the Director of Child and Family Services for the fiscal years 1999/2000 and 2000/2001 presents NWT statistics for the following areas:

- activities under the *Child and Family Services Act*;
- activities under the *Adoption Act*; and
- services to children, including foster home and treatment services.

NUMBER OF CHILDREN IN CANADA AND THE NWT

As of July 1, 2000, nearly one-third of the population of the NWT was 17 years of age or younger (See Figures 1 and 2; Statistics Canada).[1] The NWT is second only to Nunavut in having the highest percentage of children 17 and under in Canada (See Figures 1 and 2). These statistics make clear the need for the GNWT to place a high priority on the health and well-being of children and youth through investment of resources targeting this age group and their families.

Research in child and youth development indicates prevention and health/social promotion at an early age, especially the first five years of life, improve health and social outcomes in adult life. Early identification of health and social issues and early intervention may make the greatest impact on quality of life while also being the most economical.

Figure 1
Percentage of Children 17 years of age and Under (by Province and Territory as of July 1, 2000).

Province/Territory	% of total Population
Canada	23.1
Newfoundland	22.0
Prince Edward Island	24.3
Nova Scotia	22.3
New Brunswick	22.1
Quebec	21.8
Ontario	23.4
Manitoba	25.2
Saskatchewan	26.2
Alberta	25.3
British Columbia	22.1
Yukon Territory	26.1
Northwest Territories	32.0
Nunavut	43.4

1. Data for 2000 is presented, as data for 2001 is not available.

103-05744/

INTRODUCTION

The Report of the Director of Child and Family Services for the fiscal years 1999/2000 and 2000/2001 presents NWT statistics for the following areas:

- activities under the *Child and Family Services Act*;
- activities under the *Adoption Act*; and
- services to children, including foster home and treatment services.

NUMBER OF CHILDREN IN CANADA AND THE NWT

As of July 1, 2000, nearly one-third of the population of the NWT was 17 years of age or younger (See Figures 1 and 2; Statistics Canada).[1] The NWT is second only to Nunavut in having the highest percentage of children 17 and under in Canada (See Figures 1 and 2). These statistics make clear the need for the GNWT to place a high priority on the health and well-being of children and youth through investment of resources targeting this age group and their families.

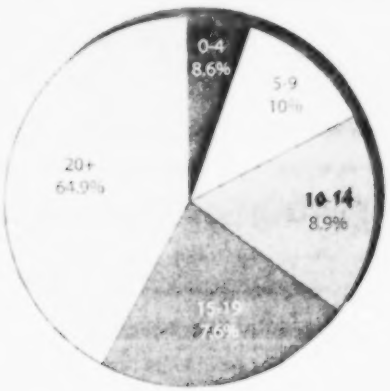
Research in child and youth development indicates prevention and health/social promotion at an early age, especially the first five years of life, improve health and social outcomes in adult life. Early identification of health and social issues and early intervention may make the greatest impact on quality of life while also being the most economical.

Figure 1
Percentage of Children 17 years of age and Under (by Province and Territory as of July 1, 2000).

Province/Territory	% of total Population
Canada	23.1
Newfoundland	22.0
Prince Edward Island	24.3
Nova Scotia	22.3
New Brunswick	22.1
Quebec	21.8
Ontario	23.4
Manitoba	25.2
Saskatchewan	26.2
Alberta	25.3
British Columbia	22.1
Yukon Territory	26.1
Northwest Territories	32.0
Nunavut	43.4

1. Data for 2000 is presented, as data for 2001 is not available.

Figure 2
Estimated Percentage of NWT Population by Age Groups (July 2000)



Total Population 42,083
Source: NWT Bureau of Statistics (July 1, 2000)

THE *CHILD AND FAMILY SERVICES ACT*: A BRIEF OVERVIEW

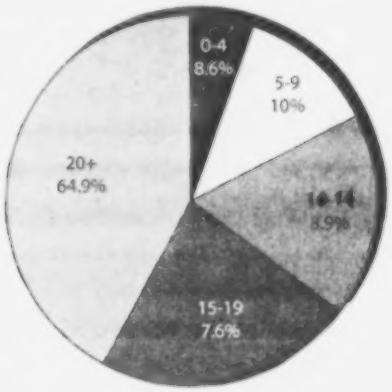
The *Child and Family Services Act* was enacted on October 30, 1998. This Act was developed to better reflect the importance of the individual, family and community for ensuring the health and safety of children. The Act establishes legal responsibilities and standards to ensure the protection of children in the NWT.

A link to the complete *Child and Family Services Act* may be found at www. lex-nt.ca/loi/index.html

The Act outlines the guiding principle to be used in carrying out child protection work in the NWT: Aboriginal customs and traditions and the role of the family are respected, but the best interest of the child always comes first.

The *Child and Family Services Act* requires anyone who believes that a child may be in need of protection to immediately report the information to a child protection worker or another authorized person, such as a peace officer in their community. The Act changed the definition of a child in need of protection from a person up to the age of 18 to a person under the age of 16.

Figure 2
Estimated Percentage of NWT Population by Age Groups (July 2000)



Total Population 42,083
Source: NWT Bureau of Statistics (July 1, 2000)

THE *CHILD AND FAMILY SERVICES ACT*: A BRIEF OVERVIEW

The *Child and Family Services Act* was enacted on October 30, 1998. This Act was developed to better reflect the importance of the individual, family and community for ensuring the health and safety of children. The Act establishes legal responsibilities and standards to ensure the protection of children in the NWT.

A link to the complete *Child and Family Services Act* may be found at www. lex-nt.ca/loi/index.html

The Act outlines the guiding principle to be used in carrying out child protection work in the NWT: Aboriginal customs and traditions and the role of the family are respected, but the best interest of the child always comes first.

The *Child and Family Services Act* requires anyone who believes that a child may be in need of protection to immediately report the information to a child protection worker or another authorized person, such as a peace officer in their community. The Act changed the definition of a child in need of protection from a person up to the age of 18 to a person under the age of 16.

The Act has a focus on prevention. It provides community social services workers (CSSW) with the authority to work with a family who requests assistance for their child. This Act also provides a way for youth to receive assistance. This is defined in this report under Voluntary Services Agreements and Support Services Agreements. (See Definitions Section)

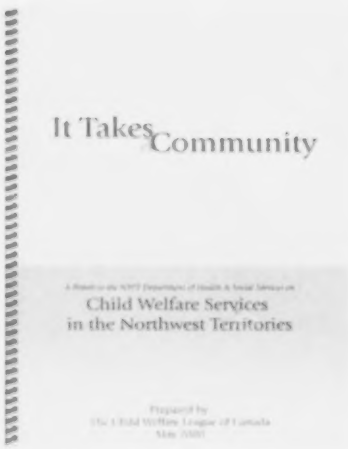
The Act provides family-based options for resolving child protection concerns as an alternative to court. This process encourages extended family and concerned community members to work with the child, the family and the social worker to come up with a plan that resolves the protection issues affecting the child/ren and their family. (See Plan and Care Arrangements under Definitions Section).

There is also an opportunity for community involvement in the administration of Child and Family Services. The Act provides the authority for communities, who wish to take a greater responsibility for ensuring the health and safety of their children, to enter into an agreement with the Minister of Health and Social Services to establish child and family service committees.

REVIEW BY THE CHILD WELFARE LEAGUE OF CANADA

Background

In October 1998, the *Child and Family Services Act* was enacted by the Legislative Assembly of the Northwest Territories. On April 1, 1999, the NWT formally divided into Nunavut and the NWT. Concurrently, the integration of Health and Social Services programming started in 1995/1996 was continuing; devolution of responsibilities started in 1997/1998 to the Health and Social Services Authorities was ongoing; and the memorandum of understanding for the use of CSSW's as probation workers between the Department of Justice and the Department of Health and Social Services was coming to a close. Communities and CSSW's were continuing to identify challenges with child neglect, physical and sexual abuse of children, alcohol, drugs and family violence.



Against the backdrop of the above activities, but in particular because of the new Act, the Department contracted the Child Welfare League of Canada (CWLC) in December of 1999, to do a formal comprehensive review of the child welfare services across the NWT. This review would provide practical recommendations which would strengthen the existing child welfare program.

The review process was completed in February of 2000, with the finished report, *It Takes a Community* tabled in the Legislative Assembly in June 2000.

Methodology

The three-person CWLC team had child welfare experience and knowledge of mental health services for children, aboriginal points of view of healing, and knowledge of child welfare services in other parts of Canada. This team visited and conducted interviews in eight communities in the NWT.

Four primary activities of the review included:

- a comprehensive series of interviews with over 200 people from eight communities representing all primary stakeholders, including members of the Territorial Legislature;
- a review of over 100 child welfare files from the eight communities visited and the Department of Health and Social Services;
- an examination of the legislation, protocols, standards, and procedures that govern the child welfare program in the NWT; and
- a standard data collection tool was devised to collect caseload numbers in order to quantify the case volume of the NWT Child Welfare Program. No such tool had existed until then.

Review considerations included the size of communities, availability of resources, and use of a holistic and collaborative approach to the provision of child welfare services.

Report Summary

The CWLC reviewers clearly stated in their final report, *It Takes a Community*, that *"NWT child welfare services are functioning precariously close to the edge"* (p. 65). However, the reviewers also stated that, *"There is leadership, commitment, motivation and capacity at both the Department and field level. There are capable and talented social workers and foster parents. There are enthusiastic and willing service partners. The climate is ripe for positive development."* (p.65).

Recommendations

The CWLC reviewers made 58 recommendations within the following seven major categories:

- address issue of systems management and development of an accountability framework;

- develop information and reporting mechanisms that are necessary to support systems management and accountability;
- strengthen the aboriginal presence and world view in the child welfare program;
- clarify legislation;
- strengthen the child welfare program development and management;
- strengthen the child welfare case practice; and
- training needs.

Departmental Response

The report and recommendations provided by the Child Welfare League of Canada confirmed the Department's assessment of system-wide capacity issues and has assisted the Department to establish critical areas of improvement for the benefit of children and families in the NWT.

Recommendations from the report were used by the Department to assist in the development of a three-year action plan. The action plan addressed human resource management, information and system management, training, and program development and delivery.

Plans were put forward to:

- hire additional CSSW's over the next three fiscal years;
- develop multi-year integrated training plans for front line CSSW's, supervisors, and foster parents;
- reinforce the Child and Family Services Information System (CFIS) as the data system for all child protection workers;
- provide CFIS support to the Authorities in the form of on-site assistance and training;
- improve computer equipment in the offices of the child protection workers; and
- conduct initial research on the role of an NWT Child Advocate.

Funding is being sought to implement the action plan to carry out the recommendations contained in the CWLC Report.

CHILD AND FAMILY SERVICES STEERING COMMITTEE

The Child and Family Services Steering Committee was established in 1998 to provide the Department with advice on the implementation of the new *Child and Family Services Act*. Over time, the advice has broadened to include:

- recommending Amendments to the *Child and Family Services Act*;
- responding to the Child Welfare League of Canada Review;
- identifying training needs of Child and Family Services Workers;
- developing the Child and Family Information System; and
- identifying issues around "best practice" in social work.

For the last two fiscal years, this Committee has been comprised of Chief Executive Officers (or their designates) from all Health and Social Services Authorities, the Director of Child and Family Services, the Manager of the Children and Family Services Unit, and the Assistant Deputy Minister of Health and Social Services (chairperson). This Committee has been of great assistance to the Department.

The Department will be inviting representation from Aboriginal organizations so that Aboriginal cultural considerations may be included in programming changes or developments.

COMMUNITY CHILD AND FAMILY SERVICE COMMITTEES

The Minister may delegate authority and responsibility for any matter set out in the *Child and Family Services Act* to a community by means of an agreement with the community corporation. These agreements permit greater community involvement in the delivery of child protection services. The Department and Authorities will be working with interested communities to establish these agreements.

CHILD AND FAMILY SOURCES INFORMATION SYSTEM

What Is CFIS?

The Child and Family Services Information System (CFIS) is a computerized databased information system used by child protection workers throughout the NWT to enter and keep track of information on children and families that receive services.

Information includes, but is not limited to:

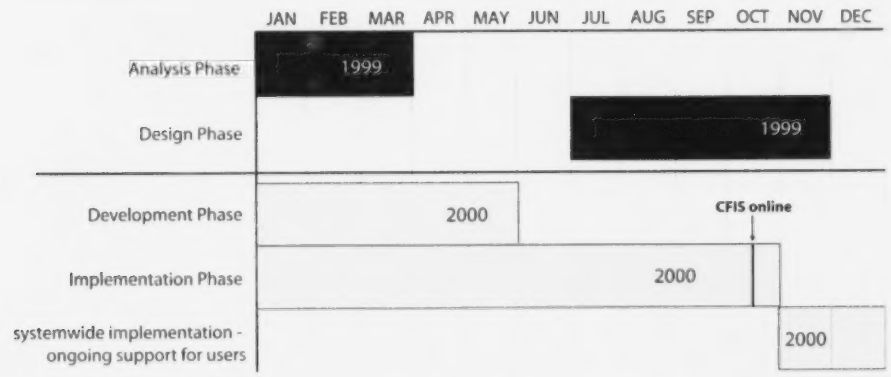
- reasons for referral of a child;
- results of investigations;
- services provided such as counseling, foster care or treatment;
- foster homes used;
- status of a child;
- and changes in foster homes and/or status.

This information system does not replace in-person supervision of child protection workers by supervisors but it does provide supervisors and the Department with an additional means to monitor the quality of the service provision as well as to analyze trends in child protection issues and service delivery.

How Was CFIS Developed?

In January 1999 the Department hired a contractor to conduct a detailed analysis on the viability of a computerized information system to manage information and tasks required under the *Child and Family Services Act*. This *Analysis Phase* (See Figure 3) involved conducting information sessions and obtaining feedback on suggested application requirements from child protection workers, supervisors, and staff of HSS Authorities and the Department (analysis group). This consultation ensured that the application would clearly represent the activities required under the *Child and Family Services Act*. This phase was completed in March 1999.

Figure 3
Phases of the Project



During the *Design Phase* a prototype application was developed based on information from the analysis and user groups. The user group, comprised of child protection workers, supervisors and Departmental staff, ensured that the application clearly represented the business activities of workers and their responsibilities and activities under the *Child and Family Services Act*.

The Development Phase involved a contractor constructing the CFIS application and the user group testing the application. The Development Phase was completed May 2000.

Implementation of the new system began in January 2000. This phase involved installing system infrastructure and hardware, installing computers at CFIS user sites, training all CFIS users, developing a CFIS Business Procedures and Training Manual, and implementing a communication plan to keep users informed. The initial training of users (80 in total) was completed in November 2000. Child protection workers started using CFIS on October 15, 2000, and system-wide implementation was achieved by November 15, 2000.

A CFIS Help Desk was established in October 2000 in order to respond to user problems and questions as well as to provide general application assistance. The user group continued to provide a venue for child protection workers, supervisors and other users to bring concerns forward, address training issues and recommend on-going system enhancements.

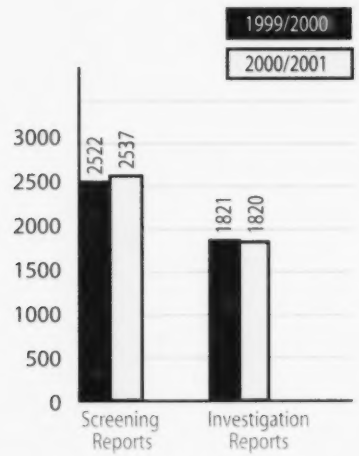
CFIS was implemented during the middle of the 2000/2001 fiscal year. This required historical data to be entered back to April 1, 2000. To ensure the quality of data in the system, the Department began conducting site visits to all users in February 2001. In addition, CFIS training is now included as part of the Child and Family Services Statutory Training.

The Department, in partnership with the Authorities, continues to improve the CFIS application, and ensures that the system functions efficiently and all users are trained to use the system. It is in this way that CFIS will continue to be a meaningful and efficient information tool for child protection workers and the Department for the benefit of children and their families.

STATISTICS ON CHILDREN RECEIVING SERVICES UNDER THE CHILD AND FAMILY SERVICES ACT

There appears to be little change in the number of screening and investigation reports for the 1999/2000 and 2000/2001 fiscal years (See Figure 4). It is not possible to compare this data with previous years because of the new procedures for screening and investigation reports under the 1998 *Child and Family Services Act*. Screening reports may include more than one child of concern. It is cautioned that the total number of screening and investigation reports for the fiscal years 2000/2001 may increase because it is estimated that about five percent of the data for that period of time has not been entered into the CFIS system.

Figure 4
Screening and investigation reports for fiscal years of 1999/2000 and 2000/2001.



How Is Information Gathered?

If a child is referred to a child protection worker under the *Child and Family Services Act*, the first stage is that a *screening report* is completed by the worker with information such as: reasons for concern, name and age of the child(ren), and a brief analysis of the reasons for concern. Depending on the outcome of the screening report a more detailed investigation may take place such as a visit to the home and/or an interview of the child. This information would be recorded on an investigation report. Subsequent, to an investigation report, there may be a variety of outcomes including: voluntary services agreement, a support services agreement, a plan of care agreement, an apprehension, a supervision order, a temporary custody order, permanent custody order or no further action required. Definitions for these terms are found in Appendix 1.

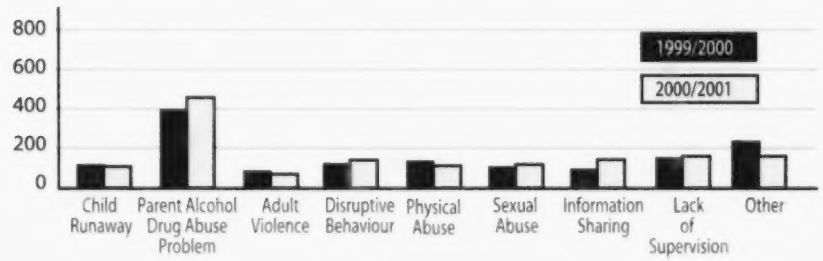
Major Reasons for Referral of Children

The CFIS information system indicates that the major reasons for referral of children during 2000/2001 were:

- alcohol and drug problems on the part of parents;
- a child's disruptive behaviours;
- lack of supervision of a child; and
- requests for the sharing of information. (See Figure 5)

Figure 5

Top Ten Primary Referals from Screening Reports During 1999/2000 and 2000/2001



Reason for Referral [2]

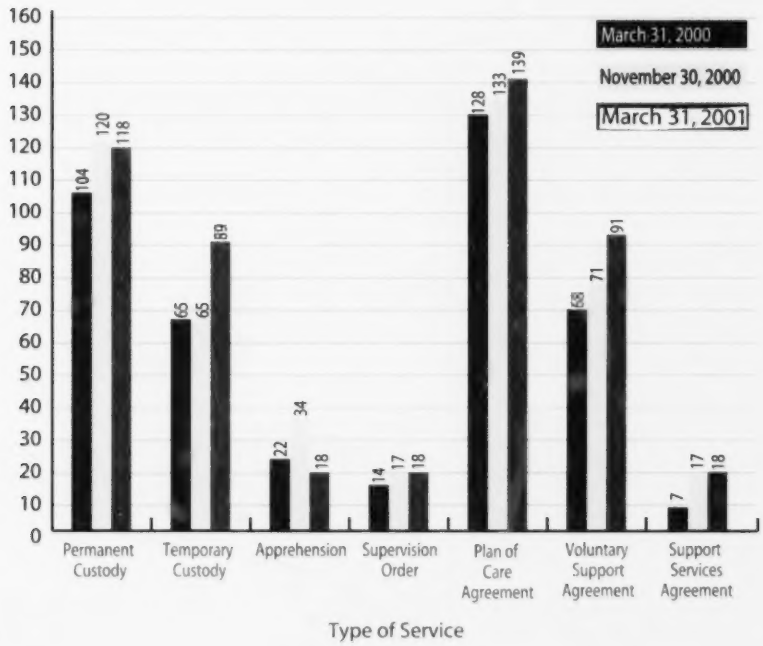
Data on the Number of Children Receiving Services

Data for a given day in time on the number of children receiving services is summarized as "snapshots". Snapshots can provide useful benchmarks in service delivery over time but do not indicate the workload of an Authority or of a CSSW nor do they indicate how many children in total received services in a given year.

The *Child and Family Services Act* stresses early intervention and agreements with families for the provision of services. In particular, the Act provides community and family based alternatives to going to court. All three snapshots (Figure 6) highlight the fact that the *Child and Family Services Act* has had a positive impact as evidenced by the almost 50/50 split of children who are receiving services under an agreement (plan of care agreement, voluntary support services agreement, and support services agreement) and those receiving services by means of a court order (apprehension, supervision order, temporary custody order, and permanent custody order).

Figure 6

Three One-Day Snapshots of Children Receiving Services under the *Child and Family Services Act*



Further examination of Figure 6 indicates that there has been an overall increase in the number of children receiving services as per the one day "snapshot". The most noticeable increases have been in Temporary Custody, Permanent Custody and Voluntary Support Services Agreements.

The percentage of children in Permanent Custody since 1989 has ranged from 18% to 31% of children receiving services. In the above snapshots, the percentage of children who are in Permanent Custody is within the same range. It is hypothesized that the increase in the number of children in Voluntary Services Agreements is a result of the ability to provide such services under the new Act and the additional training received by social workers.

Total Number of Children Receiving Services in a Fiscal Year

During 1999/2000, there were 684 different children who received services during the year, compared to 825 in 2000/2001.[2] It is hypothesized that the increase in the number of different children receiving services is due to the "agreements" that are reached with parents as well as the ongoing training of social workers on how to provide services in the home and/or home community.

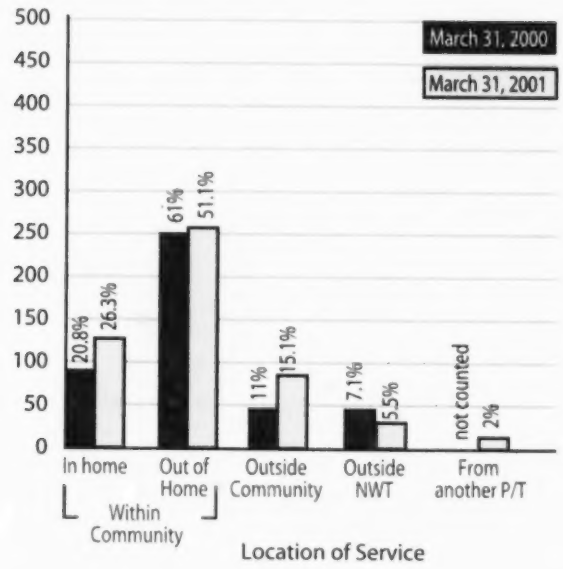
Location of Services

A guiding principle for service delivery under the *Child and Family Services Act* is that the services for children should be located as close as possible to the child's home and home community.

Figure 7 indicates that the majority of children (81.8% for 2000 and 77.4% for 2001) are receiving services within their own community. In 2000, 20.8% of children received services in their own home, and this figure increased to 26.3% in 2001. This is a marked improvement from 1998 when only 4% of children received services in their own homes.

2. These figures represent different children, that is each child is counted only once, even though they may have received more than one service in a given year.

Figure 7
Location of Children Receiving Services



ADOPTIONS

The new *Adoption Act* came into force on November 1, 1998. A significant difference between this Act and its predecessor, the *Child Welfare Act*, is that an open record system was established. This means that at the age of majority (i.e. 19 years of age), the adoptee and/or birth family may have access to their records for adoptions that occur after November 1, 1998. Another difference is that families who adopt children with special needs have a mechanism under the *Adoption Act* to receive compensation to offset costs associated with adopted children with special needs.

A link to the Adoption Act and Amendment may be found at:

www.lex-nt.ca/loi/index.html

Other highlights of the *Adoption Act* include:

- no Departmental, International or Private Adoption can occur without a pre-placement (home study) report – this ensures that a child is placed in an approved, appropriate and secure environment;
- children aged 12 and older have certain rights regarding adoption;
- Aboriginal organizations can, in some situations, play a role in determining placement for children;

- adoption orders can provide for access to birth parents;
- unmarried couples can adopt;
- out-of-territory adoptions are regulated; and
- an adoption registry is established to store adoption information and to control the disclosure of registry information.

The *Adoption Act* was amended on November 18, 2000, to provide for a Deputy Director of Adoptions and for a Deputy Registrar of the Adoption Registry. The amendments clarified approvals of a proposed placement of a child, provisions of information to birth parents, issues of consent, and provision of documents to the Director of Adoptions.

Individuals who work in the adoption program must complete the required statutory adoption training and must have a valid adoption worker appointment. Training is provided through the Department and the Director of Adoptions signs the official appointment.

During the 1999/2000 and 2000/2001 years, there were five formal training sessions for adoption workers. As of March 31, 2001, there were 27 appointed adoption workers in the NWT.

In addition to formal training, information sessions and short presentations were provided to hospital staff in Hay River and Yellowknife, nurses in various locations, staff of social services offices and lawyers.

A brochure titled, *"Are you thinking of adoption for your child?"* was printed and distributed throughout the NWT, to further provide information to the general public about the *Adoption Act*.

Types of Adoptions

There are three types of adoption in the NWT:

- private adoption (also governed by the *Adoption Act*);
- departmental adoption (governed by the *Adoption Act); and*
- custom adoption (governed by the *Aboriginal Custom Adoption and Recognition Act)*.

Private adoption occurs when the child to be adopted is not in the care of the Director of Child and Family Services. The adoption can be arranged by the individuals (birth parent(s) and adopting parent(s)) as long as the requirements of the *Adoption Act* and *Regulations* have been met.

Private adoption matters have been regulated to protect the interests of all parties, and to ensure the protection and wellbeing of the child.

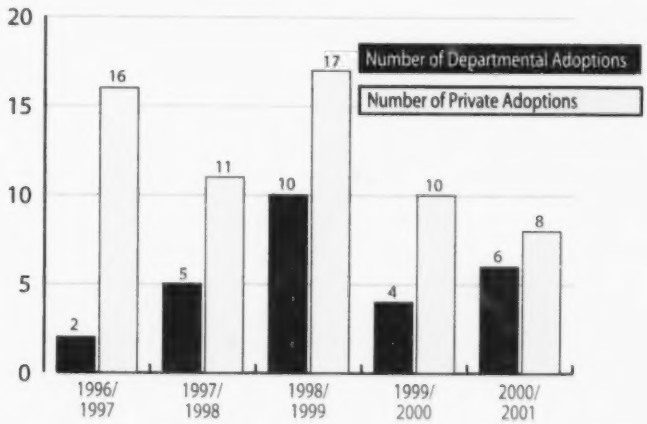
Departmental adoption occurs when the child being adopted is in the permanent custody of the Director of Child and Family Services. This can happen in one of two ways:

- a parent delivers the child to a child protection worker for the purposes of adoption, and the required consents have been provided to the Director; or
- a child has been apprehended and eventually comes into the permanent custody of the Director of Child and Family Services.

Children are placed in approved adoptive homes and placement is managed and supervised by appointed adoption workers. Departmental adoption placements are regulated by legislation to protect the interests of the parties involved and to ensure the best interests of the child.

Figure 8 indicates the number of children that have been adopted through departmental and private adoptions over the last five fiscal years. Adoption is a lengthy process not only because of the court work and home studies but also because of the length of time a child must be in an approved adoptive home prior to the finalization of the adoption process.

Figure 8
Departmental and Private Adoptions



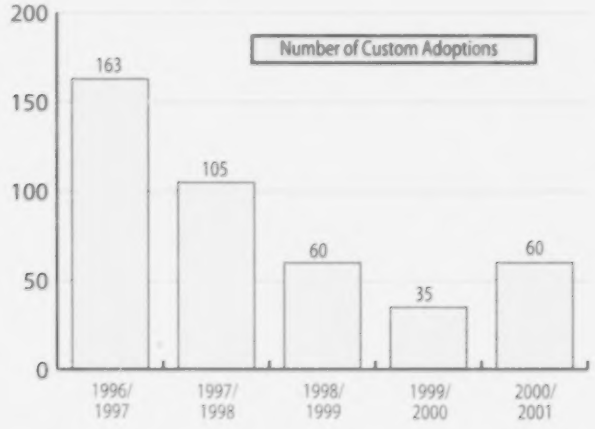
Custom Adoption

The *Aboriginal Custom Adoption Recognition Act* (ACARA) came into force on September 30, 1995. Custom adoption is a process where an Aboriginal child is placed in an Aboriginal family by the birth parent(s) and adoption is deemed to have taken place at the time of placement. This was a practice of Aboriginal peoples long before official custom adoption legislation came into effect.

Since the enactment of ACARA, appointed Adoption Commissioners throughout the NWT have been processing custom adoptions. Adoption certificates are completed by the Adoption Commissioners and forwarded to the Clerk of the Supreme Court of the NWT for stamping and filing. The stamped certificate allows for amendments to the child's birth registration and the child becomes the child of the adoptive parents.

Figure 9 illustrates the number of custom adoptions that have taken place in the NWT since 1996/1997. There has been a decline in the number of custom adoptions since 1997/1998. There may have been an initial surge of custom adoptions with the introduction of the new legislation in 1995. Statistics for the most recent three years may reflect more accurate estimates of custom adoptions occurring in a given year.

Figure 9
Custom Adoptions by Fiscal Year in the NWT*



* Nunavut data is **not** included.

SEARCH AND REUNION OF ADOPTEES AND BIRTH PARENTS

There are two processes currently in effect that influence the way in which search and reunion of adoptees and birth parents are handled by the Registrar of Adoptions. Child Welfare legislation governs the search and reunion process for those persons adopted prior to November 1, 1998, while the *Adoption Act* governs the search and reunion of those persons adopted on November 1, 1998, and later.

Search and Reunion For Persons Adopted Prior to November 1, 1998
(Child Welfare Act)
To respect past promises of confidentiality for adoptions finalized under the *Child Welfare Act,* information can only be released with consent of the parties involved. Information is only provided to the adopted person with the consent of the natural parent about whom the adopted person is seeking information and information is only provided to the natural parent of the adopted person with the consent of the adopted person.

When a birth parent, an adoptee or (in some cases) an extended family member contacts the Registrar of Adoptions for information, the Registrar sends the inquiring person an application form to be completed and submitted to the Registrar.

If a request for information is accepted, the search for the "other person(s)" is begun. If the other person (such as a birth parent) is located, the Registrar asks the birth parent if they wish to be in contact with the adoptee (their child). If the birth parent states no, then the search is stopped at that point. However, the Registrar leaves the door open by suggesting to the birth parent that if they wish to proceed, all they need to do is contact the Registrar.

If the birth parent states that they wish to proceed with a reunion then the Registrar begins a series of consultations between the parties and a reunion may be organized.

There are times when a person such as an adoptee or a birth parent is not found within a few months or a year. The Registrar does not close these cases but rather places them in a semi-active state as there have been instances when the person being sought has contacted the registrar to find their parent and/or child.

Search and Reunion For Persons Adopted After November 1, 1998 in the NWT *(Adoption Act)*

The records of adoptions finalized under the Adoption Act are considered to be open. In other words the records are available to the adopted person, natural parents, grandparents, adoptive parents, and in some situations extended birth and adoptive family members after the adopted person has reached the age of majority. For example, consent is not required from an adoptee for the natural parent to see the record of adoption.

Registry information can be obtained by an individual asking the Registrar of Adoptions. If the request is granted, the Registrar will notify the client as to how, when and where the information will be provided, offer the client counseling and advise them that disclosure of the information can be expected within sixty days.

Numbers of Requests for Searches

In 1999/2000, there were 16 requests for searches. An additional 20 requests were made in 2000/2001.

SERVICES FOR CHILDREN AND THEIR FAMILIES

The *Child and Family Services Act* not only stresses early intervention and prevention but also it has been the philosophy of the Department that services should be provided in the child's home or as close to the child's home and community as possible. Under the Act, services to support and assist children and families may include but are not limited to: counseling, respite care, drug or alcohol rehabilitation, and/or services to assist the family to deal with the illness of a child.

In order for services to be provided to a child and/or family under the *Child and Family Services Act* there needs to be either a status and or an agreement with the person with lawful custody.[3]

The services mentioned above may take place while a child is in the parental home, in an extended family member's home, a provisional foster home, a regular foster home, a group home or a treatment centre. In some cases, the location of the living arrangements may be outside of a child's community, in another part of the NWT or in another province or territory.

3. 'Status' refers to permanent custody; temporary custody, apprehensive and supervision order. 'Agreement' includes plan care for agreement, voluntary support agreement and support services agreement.

Foster Care Services

The foster care program provides foster families for children who have status or an agreement with the Director of Child and Family Services. Health and Social Services Authorities operate and deliver the foster care program in accordance with the *Child and Family Services Act* and the regulations, policies and procedures as set out by the Director of Child and Family Services. The key partners in the foster care program are the foster families without whose dedication this valued service would not exist.

There are three main types of foster homes in the NWT: regular approved, provisional and extended family foster homes.

Regular approved foster homes may provide care to any child or youth that requires placement services. Although there are no official specialized foster homes in the NWT, there are several regular foster homes who provide services for children with medical conditions.

Provisional and extended foster family homes care for specific children or youth that are known to the family in a meaningful and positive manner. **Provisional foster families** care for children and/or youth with whom the foster family has had a pre-existing relationship. In other words, the child identifies the home in which s/he is able to reside. **Extended family foster homes** are homes of a child's relatives either by kinship or by law. Both provisional foster homes and extended family foster homes are opened for a specific child and closed when the child leaves.

Sometimes Health and Social Services Authorities also access the services of specialized foster homes that are located outside of the NWT for children who have specialized needs.

Group Homes

Group homes are usually for childen who require more services than a regular foster home can provide. These homes are often staffed by people who work shifts, however, in addition to the shift workers there may be a live-in supervisor or manager. Children in these homes who require counseling or other services are taken by staff to a service provider.

There are three group homes in the NWT. Polar Crescent Group Home in Fort Smith has a capacity for six children. The children served by this group home are usually preschool with high needs such as Fetal Alcohol Syndrome. From time to time, this group home provides day care for a child to support parents who require short-term respite.

Milestones Group Home in Yellowknife has a capacity for seven children. The children served by this home range in age from newborn to 19. This facility is intended to be a short-term placement for children to give social workers time to locate a more appropriate foster placement for the child.

The Inuvik Group Home has a capacity for six children with an emergency seventh bed. The children served by this facility range in age from newborn to 16. This group home serves not only the needs of Inuvik but also a number of surrounding communities. This facility is intended to be a short-term placement to permit the children to be referred to another placement that meets their particular needs.

Treatment Centres

The NWT has two treatment centres: Trailcross, which is located in Fort Smith and Territorial Treatment Centre (TTC), located in Yellowknife. Trailcross is for children aged 13 to 15 while TTC is for children under 13. Both facilities specialize in providing services for children/youth who present moderate to severe behavioural, emotional, psychological or psychiatric disturbances.

Children with these disturbances pose significant danger to themselves, other children or caregivers in uncontrolled environments. Treatment centres are controlled environments and are better able to manage and treat children or youth with these severe disturbances than foster homes or group homes. Treatment centres increase the chance for successful treatment and reduce the risk to children and others.

Southern treatment centres provide services for children who present severe behavioural, emotional, psychological or psychiatric disturbances. All children currently in southern treatment facilities have been referred south because their needs are so severe and/or specialized that a northern facility cannot meet their needs.

The total number of children in southern placement on March 31, 2000 and March 31, 2001 was 20.

DEFINITIONS

Age of Majority
"Every person attains the age of majority, and ceases to be a minor, on attaining the age of 19 years". (Age of Majority Act - Section 2)

Apprehension
Apprehension occurs when a child has been removed from the care of the person with legal custody or from the person having care of the child at the time of the apprehension. A child protection worker, a peace officer or a person authorized by the Director under 55(1) of the *Child and Family Services Act* can apprehend a child when he or she believes the child to be *"in need of protection".*

A child under apprehension may reside in their home or be removed from the home.

Child
Under the *Child and Family Services Act, "a child means a person who is (or in absence of evidence to the contrary, appears to be) under the age of 16 years, and a person in respect of whom an order has been made under subsection 47(3) or 48(2)."*

Child Protection Worker
A child protection worker is a worker appointed under subsection 54(2) or 54(3) of the *Child and Family Services Act.*

Children's Residential Treatment Centre
A children's residential treatment centre is a residential facility operated by a service provider to meet the needs of children from the NWT who are receiving services under the *Child and Family Services Act.* These programs provide for the treatment, education, care, and recreational and developmental needs of each child in the facility.

Director of Child and Family Services (Director)
The Director of Child and Family Services is appointed pursuant to section 51(1) of the *Child and Family Services Act* and is responsible for *"exercising any power and performing any duty conferred or imposed on a Child Protection Worker by this Act or the regulations."* (51)(3)e)

Health and Social Services Authority
A Health and Social Services Authority is established within a specified geographic area of the Northwest Territories for the administration and coordination of health and social services programs under legislation.

Lawful Custody
Lawful custody means a right to custody recognized in law. It differs from "de facto custody", which means a factual circumstance where a child is in someone's physical custody. Generally, the natural parents of a child are equally entitled to custody. However, a parent's right to exercise his or her entitlement to custody will be suspended or terminated in the following circumstances:

- where the parents of the child live separate and apart, the child lives with the other parent, and the parent has consented or acquiesced, either expressly or by implication, to the other parent having sole custody;
- where there is a parental agreement, separation agreement, or court order dealing with custody;
- where there is an adoption order or the child has been adopted in accordance with aboriginal customary law; or
- where, pursuant to section 19 of the *Children's Law Act*, a person entitled to custody has made a written appointment of his or her rights or responsibilities of custody to another person.

Permanent Custody Order
Custody of a child is permanently transferred by Court Order to the Director of Child and Family Services. The Director has all of the rights and responsibilities of a parent (section 48). The initial Permanent Custody Order may be extended to the age of majority.

Plan of Care Agreement
A Plan of Care Agreement is a written agreement made between the person(s) with legal custody of the child and the Plan of Care Committee. The Agreement outlines a case plan for the child and family. The child may reside in their own home or elsewhere. The maximum term of a Plan of Care Agreement (including extensions) is two years. These children are considered to be in need of protection as defined in the *Child and Family Services Act*.

Plan of Care Committee
A Plan of Care Committee is established by a child protection worker under the *Child and Family Services Act* to provide services for a child who is *"in need of protection."*

Supervision Order (SO)
A supervision order is an order made by the Court under the *Child and Family Services Act* which directs a child protection worker to supervise the home of a child according to the terms and conditions of the order. The Order may be for a period of up to one year.

Temporary Custody Order
Temporary custody of a child is when custody is temporarily transferred by Court Order to the Director of Child and Family Services. The Director has limited rights and responsibilities of a parent (section 47(2)). The Temporary Custody Order may be extended to the age of majority, however, under section 47(3) *"the court may not make an order that would result in the child being in the temporary custody of the Director for a continuous period exceeding 24 months."*

Voluntary Care Agreements
There are two types of Voluntary Care Agreements: a Voluntary Services Agreement and a Support Services Agreement.

1. Voluntary Services Agreement: Under section 5(1) of the *Child and Family Services Act, "the Director may enter into a written agreement with a person who has lawful custody of a child to provide services or to assist others in providing services, or to assist that person's family in obtaining services, to support and assist that person's family to care for the child."*

The child may reside in their own home or elsewhere. The initial term of a Voluntary Services Agreement is six months, with provision for additional six month renewals.

2. Support Services Agreement: Under section 6(1) of the *Child and Family Services Act, "the Director may enter into a written agreement with a person who has attained the age of 16 years but has not attained the age of majority and cannot reside with his or her parents to provide services or to assist others in providing services, to support and assist that person to care for himself or herself."*

The child's parent may retain care and custody. The initial term of a Support Services Agreement is six months, with provision for additional six month renewals until the person attains the age of majority.

Youth
A youth is a person between the ages of 16 years and 18 years inclusive.